

control programs and various pieces of control information.

REMARKS

Favorable reconsideration of this application, in view of the above amendments and in light of the following discussion, is respectfully requested.

Claims 1-20 are presently active in the application.

In the outstanding final Office Action, Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rider et al. (Rider) in view of Kobayashi. The drawings were also object to in the Office Action.

Pursuant to MPEP §§ 706.07(c) and (d), Applicants respectfully request that a Primary Examiner withdraw the finality of the outstanding Office Action, on the grounds that the final rejection is premature for the below-discussed reasons. As stated in MPEP §706.07 (a), a “second or any subsequent actions on the merits shall be final, except when the [E]xaminer introduces a new grounds of rejection that is neither necessitated by [A]pplicant’s amendments of the claims nor based on information submitted in an information disclosure statement [under certain circumstances].” Applicants respectfully assert that in the present application, the Examiner’s new grounds of rejection were ostensibly necessitated by Applicants’ submission of an English translation of the Japanese priority document, and not by any amendment of the claims, as was asserted in the Office Action. Rather, in the previous response, Applicants had not amended any of the claims. Thus, for these reasons, Applicants respectfully request that the premature finality of the outstanding Office Action be withdrawn.

As discussed above, the drawings were objected to because the switches, LEDs, and backup power supply discussed in the specification were not shown in the drawings or

indicated as "not shown" in the specification. In accordance with the Examiner's helpful suggestions, as shown in detail above, Applicants have amended the specification to state that these elements are "not shown" in the drawings. Thus, for at least these reasons, Applicants respectfully request that the objections to the drawings be withdrawn.

Applicants respectfully note that the effective date of Rider (filed June 1, 1999) is after the filing date of the foreign application to which the present application claims priority (May 27, 1999). A certified English translation of the priority document was submitted with the previous response. Thus, for at least these reasons, Applicants respectfully assert that the rejection under 35 U.S.C. § 103(a) has been overcome.

Consequently, in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.



22850

Tel #: (703) 413-3000
Fax #: (703) 413-2220

GJM:CDW:PH:tdm
I:\ATTY\PH\20S\202142\202142US2 AMENDMENT.DOC

Respectfully submitted ,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "C. Ward".

Gregory J. Maier
Attorney of Record
Registration No. 25,599
Christopher D. Ward
Registration No. 41,367

Marked-Up Copy

Serial No.: 09/770,415

Amendment Filed on:

10-3-02

IN THE SPECIFICATION

Please amend the specification to read as follows:

Page 5, lines 24-26, amend the paragraph to read as follows:

A control panel interface 5 detects operation events of various switches (not shown) disposed on a control panel of the projector and controls lighting of indicators, such as LEDs (not shown), disposed on the control panel.

Paragraph beginning on page 5 line 29, continuing onto page 6, line 1, amend the paragraph to read as follows:

A memory 7 is a non-volatile memory constructed by, e.g., a static RAM or an EEPROM having backup power supply (not shown), and functions to store a diversity of control programs and various pieces of control information.